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| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Applicati n    | 09/997,254             |                   |
|  | Filing Date    | November 27, 2001      |                   |
|  | First Named    | William J. Boyle       |                   |
|  | Group Art Unit | 3763                   |                   |
|  | Examiner Name  | Unassigned             |                   |
| Total Number of Pages in This Submission   | 4+             | Attorney Docket Number | ACS-57086 (2890P) |

| ENCLOSURES (check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>-- 8 References<br>-- Return Postcard |
| Remarks :  |  | <div>RECEIVED<br/>FEB 12 2003<br/>TECHNOLOGY CENTER R3700</div> <div>24201<br/>PATENT TRADEMARK OFFICE</div>   |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual name                    | FULWIDER PATTON LEE & UTECHT, LLP<br>Thomas H. Majcher, Registration No. 31,119 |
| Signature                                  |   |
| Date                                       | February 5, 2003  |

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| Typed or printed name   | Thomas H. Majcher, Registration No. 31,119 |      |                  |
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*Thomas H. Majcher*

Thomas H. Majcher, Reg. No. 31,119

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Inventor: William J. Boyle, et al.

Serial No. 09/97,254

Filed: November 27, 2001

For: OFFSET PROXIMAL CAGE FOR  
EMBOLIC FILTERING DEVICES

Examiner: Unassigned

Group Art Unit: 3763

Client ID/Matter No. ACS-57086 (2890P)

February 5, 2003

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. § 1.56 and the procedure set forth in 37 C.F.R. §§ 1.97 and 1.98, the Applicant submits for the Examiner's consideration the attached PTO Form PTO/SB/08A. A copy of each of the listed references also is enclosed.


The undersigned hereby certifies that the cited documents were brought to the Applicant's attention in a Search Report for an International application pending under the Patent Cooperation Treaty which asserts priority to U.S. Serial No. 09/997,254 ("254 application"), which Search Report was communicated on January 16, 2003, not more than three months ago.

The references cited on the Form PTO/SB/08A may not constitute prior art to the subject matter of the invention claimed in the pending application. The documents therefore are disclosed here in an abundance of caution, in light of 37 C.F.R. § 1.56.

The Applicant respectfully petitions the Examiner to consider this Information Disclosure Statement. As the Applicant has not received a first Office action for the `254 application, this Information Disclosure Statement is submitted pursuant to 37 C.F.R. § 1.97(b)(3) and it is believed that no fee is due. However, in the event that this paper should cross in the mail with a first Office action, the Applicant hereby petitions the Office to consider the Information Disclosure Statement pursuant to 1.97(c).

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

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